

Policy Act of 1969 (42 U.S.C. 4321 et seq.) and, therefore, neither an environmental assessment nor an environmental impact statement is needed. Pursuant to Department of Energy regulations established for its compliance with the National Environmental Policy Act, the Department has determined that today's regulatory action is a ruling with respect to the rescission of an existing regulation of the type that is categorically excluded from further review under paragraph A4 of appendix A, subpart D, 10 CFR part 1021.

#### List of Subjects in 10 CFR Part 515

Administrative practice and procedure, Business and industry, Electric power plants, Energy conservation, Natural gas, Petroleum, and Reporting and recordkeeping requirements.

Issued in Washington, D.C., on June 30, 1995.

**Patricia Fry Godley,**

*Assistant Secretary for Fossil Energy.*

For the reasons set forth in the preamble, under the authority of 42 U.S.C. 7101, chapter II, subchapter E, title 10 of the Code of Federal Regulations is amended by removing part 515.

[FR Doc. 95-16725 Filed 7-6-95; 8:45 am]

BILLING CODE 6450-01-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 94-NM-186-AD; Amendment 39-9296; AD 95-14-04]

#### Airworthiness Directives; British Aerospace Model BAC 1-11 200 and 400 Airplanes

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment supersedes an existing airworthiness directive (AD), applicable to certain British Aerospace Model BAC 1-11 200 and 400 airplanes, that currently requires incorporation of certain structural modifications. That AD was prompted by reports of fatigue cracking and corrosion in transport category airplanes that are approaching or have exceeded their economic design goal. The actions specified by that AD are intended to prevent reduced structural integrity of the airplane. This amendment requires incorporation of additional structural modifications.

**DATES:** Effective August 7, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of August 7, 1995.

**ADDRESSES:** The service information referenced in this AD may be obtained from British Aerospace, Airbus Limited, P.O. Box 77, Bristol BS99 7AR, England. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** William Schroeder, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington 98055-4056; telephone (206) 227-2148; fax (206) 227-1149.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by superseding AD 90-23-09, amendment 39-6795 (55 FR 46502, November 5, 1990), which is applicable to certain British Aerospace Model BAC 1-11 200 and 400 airplanes, was published in the **Federal Register** on April 27, 1995 (60 FR 20661). The action proposed to require incorporation of additional structural modifications.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were submitted in response to the proposal or the FAA's determination of the cost to the public. The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

The FAA estimates that 31 airplanes of U.S. registry will be affected by this AD, that it will take approximately 387 work hours per airplane to accomplish the required actions, and that the average labor rate is \$60 per work hour. Required parts will cost approximately \$10,315 per airplane. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$1,039,585, or \$33,535 per airplane.

The total cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and

responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this action (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES**.

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

#### Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

#### PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

#### § 39.13 [Amended]

2. Section 39.13 is amended by removing amendment 39-6795 (55 FR 46502, November 5, 1990), and by adding a new airworthiness directive (AD), amendment 39-9296, to read as follows:

**95-14-04 British Aerospace Airbus Limited** (Formerly British Aerospace Commercial Aircraft Limited, British Aerospace Aircraft Group): Amendment 39-9296. Docket 94-NM-186-AD. Supersedes AD 90-23-09, Amendment 39-6795.

**Applicability:** Model BAC 1-11 200 and 400 airplanes, certificated in any category.

**Note 1:** This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the

owner/operator must use the authority provided in paragraph (c) of this AD to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition; or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any airplane from the applicability of this AD.

**Compliance:** Required as indicated, unless accomplished previously.

To prevent reduced structural integrity of the airplane, accomplish the following:

(a) Prior to reaching the "Not Exceed Time" interval specified in Table 1 of British Aerospace Alert Service Bulletin 5-A-PM5995, Issue 3, dated March 19, 1993; or within 15 months after the effective date of this AD; whichever occurs later: Install the structural modification listed in each Item in Table 1 of the alert service bulletin, except for Items 6, 11, 13, and 14. The modifications shall be done in accordance with the

appropriate service bulletin specified for each Item in Table 1, listed under "Service Bulletin No."

**Note 2:** Items 6, 11, 13, and 14 in Table 1 of British Aerospace Alert Service Bulletin 5-A-PM5995, Issue 3, are not included in the requirements of this AD since those items are addressed by separate rulemaking actions.

(b) Accomplishment of the modifications required by paragraph (a) of this AD constitutes terminating action for the repetitive inspections required by the following AD's:

AD No.	Amendment No.	Federal Register citation	Date of publication
67-30-02 .....	39-0507	32 FR 15421	November 4, 1967.
87-21-06 .....	39-5744	52 FR 38396	October 16, 1987.
82-01-02 R1 .....	39-4824	49 FR 9412	March 13, 1984.
83-20-02 .....	39-4735	48 FR 44462	September 29, 1983.
88-11-09 .....	39-5891	53 FR 17918	May 19, 1988.
72-06-01 .....	39-1406	37 FR 4900	March 7, 1972.
71-25-02 .....	39-1349	36 FR 22363	November 25, 1971.

(c) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM-113.

**Note 3:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM-113.

(d) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(e) The installation shall be done in accordance with British Aerospace Alert Service Bulletin 5-A-PM5995, Issue 3, dated March 19, 1993. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from British Aerospace, Airbus Limited, P.O. Box 77, Bristol BS99 7AR, England. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(f) This amendment becomes effective on August 7, 1995.

Issued in Renton, Washington, on June 23, 1995.

**James V. Devany,**

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.  
[FR Doc. 95-15995 Filed 7-6-95; 8:45 am]

BILLING CODE 4910-13-U

#### 14 CFR Part 39

[Docket No. 94-NM-161-AD; Amendment 39-9295; AD 95-14-03]

#### Airworthiness Directives; British Aerospace Model BAC 1-11-200 and -400 Series Airplanes

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to all British Aerospace Model BAC 1-11-200 and -400 series airplanes, that requires repetitive radiographic inspections to detect corrosion of the center torque shaft of the wing spoiler, and replacement, if necessary. This amendment is prompted by a report of the wing spoiler failing to retract fully after deployment, which caused the wing to drop significantly. Subsequent investigation revealed that the torque shaft assembly of the wing spoiler had failed due to severe corrosion. The actions specified by this AD are intended to prevent such failures, which can result in an adverse effect on controllability of the airplane.

**DATES:** Effective August 7, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of August 7, 1995.

**ADDRESSES:** The service information referenced in this AD may be obtained from British Aerospace, Airbus Limited, P.O. Box 77, Bristol BS99 7AR, England. This information may be examined at the Federal Aviation Administration

(FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** William Schroeder, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-2148; fax (206) 227-1149.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to all British Aerospace Model BAC 1-11-200 and -400 series airplanes was published in the **Federal Register** on April 26, 1995 (60 FR 20461). That action proposed to require repetitive radiographic inspections to detect corrosion of the center torque shaft of the wing spoiler, and replacement of the torque shaft assembly, if necessary.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were submitted in response to the proposal or the FAA's determination of the cost to the public. The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

The FAA estimates that 31 airplanes of U.S. registry will be affected by this AD, that it will take approximately 40 work hours per airplane to accomplish the required actions, and that the average labor rate is \$60 per work hour. Based on these figures, the total cost